

REMARKS

Reconsideration of the present application as amended is respectfully requested. The paragraph beginning at page 12, line 8 of the specification has been amended to correct a typographical error. Support for the amendment to the specification can be found at at least page 12, line 10 and Figure 1 of the application as originally filed. Claims 1, 10-11, 14, and 21 have been amended. Support for the amendments to claims 1, 10-11, 14, and 21 can be found at at least page 13, lines 1-7; page 16, lines 9-25; and page 17, lines 25 to page 18, line 3 of the application as originally filed. Claims 1-8, 10-19 and 21-22 are currently pending.

Claims 1-5, 7-8, 10-19, and 21-22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,406, 588 to Birchler et al. ("Birchler") in view of U.S. Patent No. 5,911,124 to Doran ("Doran"). Independent claim 1 has been amended to be directed to "a method for estimating residual noise in a frequency range of a desired part of a signal received in a mobile receiver via a digital cellular radio system, the desired part of the received signal representing a selected channel of the digital cellular radio system" and to include the feature of "transmitting, uplink from the mobile receiver and via the digital cellular radio system, the noise estimation measure or a post-processed version of the noise estimation measure to a link quality control system of the digital cellular radio system."

The Office Action acknowledges that Birchler fails to disclose "transmitting, via the digital cellular radio system, the noise estimation measure or a post-processed version of the noise estimation measure to a link quality control system." The Office Action asserts that column 3, lines 46-65 of Doran teach this feature and that it would have been obvious to one of ordinary skill in the art at the time of invention to "include transmitting, via the digital cellular radio system, the noise estimation measure or a post-processed version of the noise estimation measure to a link quality control system of the digital cellular radio system in order to provide echo cancellation technique in a cellular telecommunication device."

On September 22, 2004, a telephonic interview took place in which Examiner Sharad Rampuria, Supervisory Patent Examiner William Trost, and Applicant's representative were participants. During the interview, agreement was reached that Doran fails to teach or suggest transmitting a noise-estimation measure or a post-processed version of a noise estimation

measure to a link quality control system of a digital cellular radio system. The Interview Summary mailed on September 28, 2004 indicates that "Applicant's representative states that Doran does not include the noise estimation measure or a post processed version of the noise estimation measure to a link quality control system of the digital cellular radio system." The Interview Summary further indicates that the Examiner "will update the search based on the response."

Doran describes, in column 3, lines 46-65, the processing of an audio input signal into frames of digital data, and the selection of a superior signal from among an unmodified version of the audio input signal and an echo filtered signal as an output of an echo canceller. Doran further describes that the echo canceller output is processed for transmission over a wireless communication channel. As discussed in the interview of September 22, 2004, Applicant respectfully submits that Doran fails to teach or suggest the feature of independent claim 1 of "transmitting, uplink from the mobile receiver and via the digital cellular radio system, the noise estimation measure or a post-processed version of the noise estimation measure to a link quality control system of the digital cellular radio system." As further discussed in the interview of September 22, 2004, Applicant respectfully submits that Doran fails to contain any teaching or suggestion of a link quality control system of a digital cellular radio system. Applicant respectfully submits that independent claim 1 distinguishes over Birchler in view of Doran and requests that the 35 U.S.C. 103(a) rejection of independent claim 1 be withdrawn.

Independent claim 14 has been amended to be directed to "an apparatus for estimating residual noise in a frequency range of a desired part of a signal received in a mobile receiver via a digital cellular radio system, the desired part of the received signal representing a selected channel of the digital cellular radio system" and to include the feature of "means for transmitting, uplink from the mobile receiver and via the digital cellular radio system, the stored consecutive values, the extracted trend, a post-processed version of the stored consecutive values, or a post-processed version of the extracted trend to a quality control system of the digital cellular radio system." For similar reasons as those discussed with respect to independent claim 1, Applicant respectfully submits that independent claim 14 distinguishes over Birchler in

view of Doran and requests that the 35 U.S.C. 103(a) rejection of independent claim 14 be withdrawn.

Independent claim 21 has been amended to include the features of “means for estimating residual noise in a frequency range of a desired part of a signal received in the mobile telephone via a digital cellular radio system, the desired part of the received signal representing a selected channel of the digital cellular radio system” and “means for storing, evaluating, and transmitting, uplink from the mobile telephone and via the digital cellular radio system, at least one of resulting noise estimation measurements and post-processed versions of the resulting noise estimation measurements to a link quality control system of the digital cellular radio system.” For similar reasons as those discussed with respect to independent claim 1, Applicant respectfully submits that independent claim 21 distinguishes over Birchler in view of Doran and requests that the 35 U.S.C. 103(a) rejection of independent claim 21 be withdrawn.

Claims 2-8, 10-13, 15-19, and 22 are dependent upon and include the features of their respective independent claims 1, 14, and 21. For at least the reasons as discussed with respect to independent claims 1, 14, and 21, Applicant respectfully submits that claims 2-8, 10-13, 15-19, and 22 distinguish over Birchler in view of Doran and requests that the 35 U.S.C. 103(a) rejection of claims 2-8, 10-13, 15-19, and 22 be withdrawn.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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